

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 15

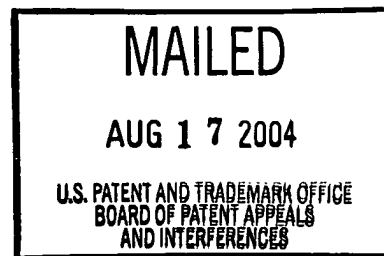
UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

\_\_\_\_\_  
Ex parte EUGENE R. ZEHLER

\_\_\_\_\_  
Application No. 10/051,938

\_\_\_\_\_  
ORDER RETURNING UNDOCKETED APPEAL  
\_\_\_\_\_



This application was received at the Board of Patent Appeals and Interferences on July 23, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed two (2) Information Disclosure Statements, on January 17, 2002 and August 28, 2002. It is not clear from the record that either Information Disclosure Statement

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has been considered or acknowledged. The Examiner should consider the Information Disclosure Statements, dated January 17, 2002 and August 28, 2002; a written communication notifying appellant of the Examiner's consideration is required.

Accordingly, it is

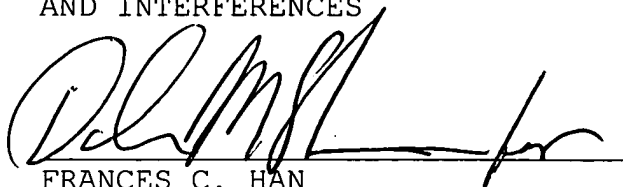
**ORDERED** that the application is returned to the examiner for:

- 1) consideration the Information Disclsoure Statements, filed on January 17, 2002 and August 28, 2002;
- 2) sign Forms PTO-1449 accompanying the above identified Information Disclosure Statements;
- 3) communicate consideration of appellant's Information Disclsoure Statements, filed on January 17, 2002 and August 28, 2002, via an official communication; and
- 4) for any further action as deemed appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e. abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in dark ink, appearing to read 'Frances C. Han', is written over a horizontal line.

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